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[*without reference to a Main Committee (A/71/L.58)*]

71/280. Modalities for the intergovernmental negotiations of the global compact for safe, orderly and regular migration

The General Assembly,

Recalling its resolution 71/1 of 19 September 2016, entitled "New York Declaration for Refugees and Migrants", and the launch of a process of intergovernmental negotiations leading to the adoption of a global compact for safe, orderly and regular migration at an intergovernmental conference to be held in 2018, as well as its decision to work towards the adoption in 2018 of a global compact on refugees, and noting that the two processes are separate, distinct and independent,

Recalling also that the global compact for safe, orderly and regular migration would set out a range of principles, commitments and understandings among Member States regarding international migration in all its dimensions, make an important contribution to global governance and enhance coordination on international migration, present a framework for comprehensive international cooperation on migrants and human mobility, deal with all aspects of international migration, including the humanitarian, developmental, human rights-related and other aspects of migration, and be guided by the 2030 Agenda for Sustainable Development[1] and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development[2] and informed by the Declaration of the High-level Dialogue on International Migration and Development adopted in October 2013,[3]

Welcoming the agreement to bring the International Organization for Migration, an organization regarded by its member States as the global lead agency on migration, into a closer legal and working relationship with the United Nations as a related organization,[4] and underlining its important role in jointly servicing the negotiations by extending the technical and policy expertise required, leading to the adoption of the global compact,

[1] Resolution 70/1.
[2] Resolution 69/313, annex.
[3] Resolution 68/4.
[4] Resolution 70/296.

Please recycle

Taking note of the intention of the Secretary-General to recommend the establishment of a Special Representative of the Secretary-General for International Migration, as communicated in his letter dated 21 December 2016,

1. *Decides* that the intergovernmental conference to adopt a global compact for safe, orderly and regular migration:

(*a*) Shall be held at United Nations Headquarters in New York immediately prior to the opening of the general debate of the seventy-third session of the General Assembly, unless otherwise agreed;

(*b*) Shall be held at the highest possible political level, including Heads of State or Government;

(*c*) Shall result in an intergovernmentally negotiated and agreed outcome, entitled "Global compact for safe, orderly and regular migration", the scope of which is defined in annex II to its resolution 71/1;

(*d*) Shall also result in summaries of the plenary meetings and other deliberations of the conference, to be included in the report of the conference;

2. *Underlines* that the outcome document to be adopted by the intergovernmental conference may include the following main components: actionable commitments, means of implementation and a framework for the follow-up and review of implementation;

3. *Decides* that the intergovernmental conference and its preparatory process shall be open to participation by all States Members of the United Nations and all members of specialized agencies that have observer status with the General Assembly;

4. *Invites* intergovernmental organizations and other entities having received a standing invitation to participate as observers in the work of the General Assembly and organizations and bodies of the United Nations to participate as observers in the intergovernmental conference and its preparatory process;

5. *Requests* the President of the General Assembly to appoint two co-facilitators to lead the intergovernmental consultations and negotiations on issues related to the global compact, the intergovernmental conference as well as their preparatory process, in regular coordination and consultation with all Member States and regional groups, and underlines that the consultations and negotiations must be open, transparent and inclusive in order to promote and strengthen Member States' ownership;

6. *Reiterates* the importance of the effective participation of all relevant stakeholders, including civil society, the private sector, academic institutions, parliaments, diaspora communities and migrant organizations in the intergovernmental conference and its preparatory process, and:

(*a*) Invites non-governmental organizations that are in consultative status with the Economic and Social Council to register with the Secretariat in order to participate in the intergovernmental conference and its preparatory process;

(*b*) Requests the President of the General Assembly to draw up a list of other relevant representatives of relevant non-governmental organizations, civil society organizations, academic institutions, the private sector, diaspora communities and migrant organizations who may attend and participate in the preparatory process, taking into account the principles of transparency and of equitable geographical representation, and with due regard to the meaningful participation of women, and

to submit the list to Member States for their consideration on a non-objection basis no later than April 2017;[5]

(*c*) Requests the President of the General Assembly to draw up a further list of other relevant representatives of relevant non-governmental organizations, civil society organizations, academic institutions, the private sector, diaspora communities and migrant organizations who may attend and participate in the intergovernmental conference, taking into account the principles of transparency and of equitable geographical representation, and with due regard to the meaningful participation of women, and to submit the list to Member States for their consideration on a non-objection basis no later than April 2018;[5]

7. *Emphasizes* the importance of contributions that take into account different realities, and therefore encourages effective contributions from and the active participation of all relevant stakeholders, at all stages of the preparatory process and at the conference itself, including through the sharing of best practices and concrete policies, for example, through the convening of national multi-stakeholder consultations and participation in global, regional and subregional platforms;

8. *Underlines* that relevant stakeholders, including civil society, scientific and knowledge-based institutions, parliaments, local authorities, the private sector and migrants themselves, will be able to contribute views, in particular through informal dialogues to which they will be invited by the co-facilitators; the intergovernmental nature of the negotiations, however, will be fully respected;

9. *Invites* national human rights institutions compliant with the Paris Principles [6] to register with the Secretariat in order to participate in the intergovernmental conference and its preparatory process, including the informal interactive multi-stakeholder hearings described in paragraph 30 below, and invites the institutions, as well as the Global Alliance of National Human Rights Institutions and regional human rights institution networks, to organize global and regional consultations and to contribute views to the preparatory process;

10. *Requests* the Secretary-General to appoint a Secretary-General of the Conference ahead of phase I to act as focal point on behalf of the United Nations system for providing support to the preparatory process and to the organization of the conference, and notes that the role of the Secretary-General of the Conference will cease upon completion of the conference;

11. *Reaffirms* that the Secretariat of the United Nations and the International Organization for Migration would jointly service the negotiations, the former providing capacity and support and the latter extending the technical and policy expertise required, and decides that such joint servicing shall apply to the entire preparatory process to develop the global compact;

12. *Requests* the Secretary-General to ensure that the expertise of the United Nations system as a whole, including specialized agencies, funds and programmes, related organizations and regional economic commissions, as well as all relevant special procedures mandate holders and treaty bodies, in accordance with their

[5] The list of proposed as well as final names will be brought to the attention of the General Assembly. Where a name is objected to, the objecting Member State will, on a voluntary basis, make known to the Office of the President of the General Assembly the general basis of its objections and the Office will share any information received with any Member State upon its request.

[6] Resolution 48/134, annex.

respective mandates, giving due regard to Geneva-based expertise, is coordinated to support the State-led preparatory process of the global compact and the intergovernmental conference and to facilitate their participation therein;

13. *Also requests* the Secretary-General to prepare a note on the organization of work of the intergovernmental conference that will serve as the basis for the precise modalities of the intergovernmental conference to be decided by Member States by January 2018;

14. *Decides* that the preparatory process leading to the adoption of the global compact shall be structured as follows:

(*a*) Phase I (consultations): April to November 2017;

(*b*) Phase II (stocktaking): November 2017 to January 2018;

(*c*) Phase III (intergovernmental negotiations): February to July 2018;

Phase I. Consultations

15. *Requests* the President of the General Assembly, with the support of the Secretary-General and by drawing upon the expertise of the International Organization for Migration in particular, other members of the Global Migration Group and other relevant entities, to organize a series of informal thematic sessions on facilitating safe, orderly and regular migration that shall address, but not be limited to, the elements outlined in annex II, paragraph 8, of its resolution 71/1 to be discussed under one or more of the following themes and to be co-chaired by the co-facilitators, between April and November 2017, as follows:

(*a*) At the United Nations Office at Geneva:

(i) Human rights of all migrants, social inclusion, cohesion and all forms of discrimination, including racism, xenophobia and intolerance (April/May 2017);

(ii) Irregular migration and regular pathways, including decent work, labour mobility, recognition of skills and qualifications and other relevant measures (October 2017);

(iii) International cooperation and governance of migration in all its dimensions, including at borders, on transit, entry, return, readmission, integration and reintegration (June 2017);

(*b*) At United Nations Headquarters in New York:

(i) Contributions of migrants and diasporas to all dimensions of sustainable development, including remittances and portability of earned benefits (July 2017);

(ii) Addressing drivers of migration, including adverse effects of climate change, natural disasters and human-made crises, through protection and assistance, sustainable development, poverty eradication, conflict prevention and resolution (May 2017);

(*c*) At the United Nations Office at Vienna: smuggling of migrants, trafficking in persons and contemporary forms of slavery, including appropriate identification, protection and assistance to migrants and trafficking victims (September 2017);

16. *Decides* that these informal thematic sessions shall be organized for a maximum duration of 12 working days in total, and shall each consist of two or three expert panels, as well as an interactive exchange;

17. *Also decides* that each expert panel shall be moderated by a Member State to be appointed by the President of the General Assembly, in consultation with regional groups and with due regard for geographical balance, and that the composition of the panels shall take into account situations in countries of origin, transit and destination;

18. *Invites* the Secretary-General, supported by the International Organization for Migration, to submit inter-agency issue briefs, drawing upon the expertise of the Global Migration Group and other relevant entities, in advance of each informal thematic session;

19. *Calls upon* Member States to contribute to the preparatory process by providing concrete recommendations and other substantive inputs for the global compact in the informal thematic sessions;

20. *Invites* Member States to also take into consideration, in phase I, their perspectives with regard to the complex interrelationship between migration and sustainable development, as well as migration and all human rights, gender equality and the empowerment of women and girls, the needs of migrants in vulnerable situations, and perspectives involving migrant children and youth, including unaccompanied migrant children, in order to promote a comprehensive understanding of international cooperation and migration governance in all its dimensions;

21. *Requests* the two co-facilitators to prepare summaries of the informal thematic sessions that will serve as inputs for the preparation of the global compact, on the basis of the views expressed by Member States and, as appropriate, other relevant stakeholders;

22. *Calls upon* the Secretary-General, in close consultation with the International Organization for Migration, to develop a workplan for Member States by March 2017 in order to make use of relevant processes, mechanisms and initiatives in the field of migration, and in this regard:

(*a*) Requests the regional economic commissions and invites their subregional offices, in collaboration with other relevant entities of the United Nations system, particularly the International Organization for Migration, to organize discussions among States Members of the United Nations and other relevant stakeholders to examine regional and subregional aspects of international migration and to provide inputs, in accordance with their respective mandates, to the preparatory process of the global compact;

(*b*) Invites Member States and other relevant stakeholders, through regional and subregional consultative processes and, as appropriate, within global processes, mechanisms and initiatives, including the Global Forum on Migration and Development, the International Dialogue on Migration held by the International Organization for Migration and relevant sessions of United Nations entities that address migration-related issues, to contribute to the preparatory process of the global compact;

(*c*) Invites Member States and other relevant stakeholders to provide summaries and concrete recommendations derived from the processes, mechanisms and initiatives mentioned in the present paragraph at the informal thematic sessions and in phase II, as appropriate;

Phase II. Stocktaking

23. *Decides* that a preparatory meeting co-chaired by the co-facilitators shall be held in Mexico in early December 2017 for a duration of three days and that it shall take stock of the inputs received, as outlined in paragraphs 15 and 22 above, and in this regard invites participants:

(*a*) To present inputs from relevant processes outlined in paragraph 22 that have not been presented in the informal thematic sessions;

(*b*) To engage in discussions and analyse the inputs received as they relate to facilitating safe, orderly and regular migration;

(*c*) To discuss potential means of implementation, as well as follow-up and review mechanisms for a global compact;

24. *Expresses its appreciation* to the Government of Mexico for its offer to host and cover the costs of the preparatory meeting;

25. *Requests* the co-facilitators as co-chairs of the preparatory meeting to prepare a chair's summary of the meeting, which will inform the basis of the zero draft of the global compact;

26. *Requests* the Secretary-General, in close consultation with the International Organization for Migration, as an input to the zero draft of the global compact and the intergovernmental negotiations, to present a report that includes facts and figures, as well as challenges and opportunities, based on the full range of inputs then available and to provide Member States with recommendations before the beginning of phase III;

Phase III. Intergovernmental negotiations

27. *Decides* that the zero draft of the global compact shall be prepared by the co-facilitators on the basis of the views, summaries and recommendations provided by Member States and by taking into account relevant inputs and substantive discussions in phases I and II and shall be presented to Member States by the beginning of February 2018 for intergovernmental negotiations;

28. *Also decides* that intergovernmental negotiations on the global compact shall be held at United Nations Headquarters in February 2018 for three days, in March 2018 for four days, in April 2018 for four days, in May 2018 for five days, in June 2018 for five days and in July 2018 for five days;

29. *Stresses* the need for flexibility in convening the informal meetings of the intergovernmental negotiations and the possibility of convening additional consultations, as required, with interpretation services on an as-available basis;

30. *Requests* the President of the General Assembly, as part of the preparatory process for the intergovernmental conference, to organize and to preside over four days of informal interactive multi-stakeholder hearings, between April 2017 and June 2018, with representatives of non-governmental organizations, civil society organizations, academic institutions, parliaments, diasporas, migrants, migrant organizations and the private sector, and also requests the President of the Assembly to prepare a summary of the hearings, to be made available as an input for the intergovernmental negotiations;

31. *Decides* to establish a voluntary trust fund for the intergovernmental conference and its preparatory process, primarily to support the travel and participation of representatives from developing countries, in particular the least

developed countries, also decides that any surplus funds in the voluntary trust fund may be used to support the activities involved in the preparations of the conference, and encourages Member States and other potential donors to consider contributing to the trust fund.

74th plenary meeting
6 April 2017